



Atty. Dkt. No. 018792-0180

#13  
12/9/02  
17600

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hossein A. GHANBARI, et al.

Title: COMPOSITIONS CONTAINING  
BACTERIOPHAGES AND  
METHOD OF USING  
BACTERIOPHAGES TO TREAT  
INFECTIONS

**RECEIVED**

DEC 06 2002

TECH CENTER 1600/2900

Appl. No.: 09/583,738

Filing Date: 05/31/2000

Examiner: Virginia Allen Portner

Art Unit: 1645

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals from the decision of the final rejection dated June 5, 2002, and the Advisory Action dated October 22, 2002, of the Examiner finally rejecting Claims 23-33, 35-47, and 49-50.

- ☒ Applicant claims small entity status.
- ☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:
- ☒ Notice of Appeal Fee
- ☒ To be paid as detailed below
- ☐ Not required (Fee paid in prior appeal)

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The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$320.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$920.00
<input type="checkbox"/>	Extension:	\$0.00
	FEE TOTAL:	\$1240.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$620.00
	TOTAL FEE:	\$620.00

- ☒ A check in the amount of \$620.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date December 4, 2002

By



FOLEY & LARDNER  
Customer Number: 22428



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